

**Department of Legislative Services**  
Maryland General Assembly  
2001 Session

**FISCAL NOTE**

House Bill 20 (Delegates Leopold and Montague)

Judiciary

Judicial Proceedings

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**Family Law - Marriage License Fee - Premarital Preparation Course**

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This bill authorizes a county to discount a marriage license fee if the couple to be married has completed, within one year before the date of the application for the license, a premarital preparation course that meets specified requirements. The amount of any discount shall be determined by the county governing body.

The bill specifies the type of provider who may conduct a premarital preparation course, requires a premarital preparation course provider to register with the clerk of the circuit court, authorizes the clerk to establish a roster of area premarital preparation course providers, requires a premarital preparation course provider to provide to each couple who completes the course a certificate of completion, and requires an applicant for a marriage license to file a certificate of completion with the clerk in order to receive a discounted marriage license fee.

Any cost for a premarital preparation course shall be paid by the applicant for a marriage license. The discount authorized by the bill may not be applied to any fee used to fund domestic violence programs.

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**Fiscal Summary**

**State Effect:** The bill would not directly affect State operations or finances.

**Local Effect:** Potential minimal decrease in revenues.

**Small Business Effect:** Potential minimal. Providers of premarital preparation courses could receive additional business as a result of the bill.

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## **Analysis**

**Current Law:** The basic statewide fee for a marriage license is \$10, of which \$5 is retained by the clerk of the circuit court and \$5 goes to the county general fund. In many counties, there is an additional fee of as much as \$65 to promote or fund domestic violence programs.

**Background:** Florida has a statute offering a reduced marriage license fee for completion of a premarital education course.

**Local Fiscal Effect:** The bill could result in a decrease in marriage license fee revenues for local jurisdictions that decide to implement a discount. The amount of any such decrease cannot be reliably estimated at this time due to the difficulty of predicting whether a county will implement a discount and, if so, the amount of the discount. Any revenue decrease is not expected to be significant, however, because marriage license fees are generally not a major source of revenue for local jurisdictions and the maximum amount of the discount is \$10. For example, in 1998, 4,420 marriages were performed in Prince George's County. If Prince George's County were to discount \$5 of the fee for half of this number of licenses, the revenue loss would be approximately \$11,050 per year.

The additional responsibilities imposed upon court clerks' offices by the bill would have a minimal impact on clerks' office operations.

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## **Additional Information**

**Prior Introductions:** HB 57 of 2000 would have provided that an applicant for a marriage license in Anne Arundel County may receive an \$8 discount on the fee for the license if the applicant demonstrates that the couple has completed a premarital education course within one year of the application. That bill passed both houses, but was vetoed by the Governor on the grounds that the bill lacked sufficient details about the requirements of the proposed course and potentially limited the counseling options available to couples.

HB 1253 of 1997 would have extended the waiting period for a marriage license from 48 hours to 60 days, unless certain exceptions applied, one of which was that the parties have completed a premarital education course. That bill received an unfavorable report from the Judiciary Committee.

**Cross File:** None.

**Information Source(s):** Judiciary (Administrative Office of the Courts); Calvert, Howard, Montgomery, and Prince George's counties; Department of Legislative Services

**Fiscal Note History:** First Reader – January 22, 2001  
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